

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DEKA INVESTMENT GMBH and CITY
OF DEARBORN HEIGHTS ACT 345
POLICE & FIRE RETIREMENT SYSTEM,
Individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

SANTANDER CONSUMER USA
HOLDINGS INC., THOMAS G.
DUNDON, JASON KULAS, JUAN
CARLOS ALVAREZ, ROMAN BLANCO,
GONZALO DE LAS HERAS, STEPHEN A.
FERRISS, MATTHEW KABAKER, TAGAR
OLSON, ALBERTO SANCHEZ, JAVIER
SAN FELIX, JUAN ANDRES YANES,
DANIEL ZILBERMAN, CITIGROUP
GLOBAL MARKETS INC., J.P. MORGAN
SECURITIES LLC, MERRILL LYNCH,
PIERCE, FENNER & SMITH
INCORPORATED, DEUTSCHE BANK
SECURITIES INC., SANTANDER
INVESTMENT SECURITIES INC.,
BARCLAYS CAPITAL INC., GOLDMAN,
SACHS & CO., MORGAN STANLEY &
CO. LLC, RBC CAPITAL MARKETS, LLC,
BMO CAPITAL MARKETS CORP.,
CREDIT SUISSE SECURITIES (USA) LLC,
UBS SECURITIES LLC, WELLS FARGO
SECURITIES, LLC, KKR CAPITAL
MARKETS LLC, SANDLER O'NEILL &
PARTNERS, L.P., STEPHENS INC., and
LOYAL3 SECURITIES, INC.,

Defendants.

Case No.: 3:15-CV-2129-K

ORDER

Before the Court are (1) Defendant Santander Consumer USA Holdings, Inc. and the Individual Defendants' Motion to Dismiss the Amended Complaint (Doc. No. 106); and (2) The Underwriter Defendants' Motion to Dismiss the First Amended Complaint's First and Second Claims for Relief Under the Securities Act (Doc. No. 108). After careful consideration of the Motions, the response and the reply, the applicable law, and the relevant portions of the record, the Court **DENIES** Defendant's Santander Consumer USA Holdings, Inc. and the Individual Defendants' Motion to Dismiss the Amended Complaint and **DENIES** The Underwriter Defendants' Motion to Dismiss the First Amended Complaint's First and Second Claims for Relief Under the Securities Act.

SO ORDERED.

Signed June 13th, 2016.

A handwritten signature in black ink, reading "Ed Kinkeade", is written over a horizontal line.

ED KINKEADE

UNITED STATES DISTRICT JUDGE